

REMARKS

Claims 1-4, 6, 8-16, and 18-24 stand rejected in a Final Office Action. Amendments to the Claims provided in an Amendment after Final were not entered as reported in an Advisory Action dated August 4, 2009. Claims 5, 7, and 13-29 have been canceled. Claims 1 and 8 are currently amended. Claims 1-4, 6, and 8-12 are now pending.

35 USC § 102 Rejection of the Claims

Claims 1-4, 6, and 8-12 stand rejected under 35 USC § 102(b), as being anticipated by Chan (US Publication No. 2002/0119455). Applicants have amended independent Claim 1 (and Claim 8) to reflect an amendment that appears to be suggested by the Final Office Action of May 29, 2009 (“the Office Action”). On Page 4 of the Office Action, the Office Action states that Applicants’ arguments are “found unpersuasive as instant claim 1 recites ‘sequentially separating each monomer’, not detaching each monomer.” The Office Action on page 4 goes on to state that “[i]t is noted that separation in its broadest reasonable interpretation may be visual separation, not necessarily a physical separation.” Although Applicants believe that “separating each monomer from the polymer subsample” involves a physical change in the polymer structure wherein a monomer is removed from the polymer, in the interest of furthering prosecution, Applicants have amended the claims to incorporate the suggested wording. Thus, Applicants have amended to claims to read: “sequentially detaching each monomer from the polymer subsample.”

Applicants continue to respectfully traverse this rejection, because Chan fails to disclose a sequencing method wherein “sequentially detaching each monomer from the polymer subsample” and detection of the separated monomer (“detecting the labels of each detached labeled monomer as a function of time”) occurs. The claims of the present application are directed to sequencing methods in which monomers of a polymer subsample are detached and detected. In contrast, Chan teaches that the polymer remains intact for the analysis. For example, Chan describes detecting the labels of a polymer, for example, Chan states, “[t]he point where the polymer passes the localized region of agent is the interaction station. As each labeled

unit of the polymer passes by the agent a detectable signal is generated.” (Chan, page 19, paragraph [0206].) All the elements of the claim need to be described by the prior art invention for the prior art invention to anticipate the claims of the present invention. Since not all the elements of the claims can be found in the prior art invention of Chan, Chan does not anticipate the present invention.

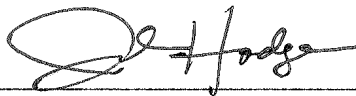
CONCLUSION

Applicants respectfully request reconsideration and allowance of the pending claims in view of the remarks and amendments set forth above. It is hoped that these Amendments will lead to allowance of the claims. If the Examiner has any questions, the Examiner is encouraged to contact the undersigned at 310-551-4992.

Respectfully submitted,

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